

Atty. Dkt. No. 026196-0201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donato, et al

Title: METHOD OF ISOLATING
EXTRACT FROM THE
EUPHORBACIAE OBESA PLANT
AND METHODS FOR USING
THE SAME

Appl. No.: 10/020,816

Filing Date: 12/12/2001

Examiner: Christopher Tate

Art Unit: 1654

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below. Michelle Symphon <small>(Printed Name)</small> <i>Michelle Symphon</i> <small>(Signature)</small> May 29, 2003 <small>(Date of Deposit)</small>

FAX RECEIVED

MAY 29 2003

PETITIONS OFFICE

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Commissioner for Patents
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for inadvertent failure to timely file a Request to Rescind Previous Non-Publication Request within 45 days of filing this application in the PCT (PCT/US02/39850, filed December 12, 2002). The Request to Rescind Previous Non-Publication Request is enclosed herewith.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

1. Required reply and/or fee;
2. Petition fee (37 C.F.R. § 1.17(m));
3. Statement that the abandonment was unintentional; and
4. Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

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Atty. Dkt. No. 026198-0201

1. Required reply and/or fee.

Request to Rescind Previous Non-Publication Request is enclosed herewith.

2. Petition fee (37 C.F.R. § 1.17(m))

Please charge Deposit Account No. 50-0872 in the amount of \$650.00, stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition. A duplicate copy of this paper is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

3. Statement that the abandonment was unintentional.

Applicants hereby state that the entire delay in filing the required Request to Rescind Previous Non-Publication Request, until the filing of this petition, was unintentional.

4. Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date 28 MAY 2003
FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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By

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